



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: John P. Lunsford, Charles J. Adam, John W. Davis and Albert K. Chin
APPLICATION NO.: 10/807,368
FILING DATE: March 22, 2004
TITLE: Vessel Retraction Device And Method
EXAMINER: Not yet known
GROUP ART UNIT: Not yet known
ATTY. DKT. NO.: 80121-08961

CERTIFICATE OF MAILING

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6/17/04

By: _____

A.C. Smith

Albert C. Smith, Reg. No.: 20,355

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INFORMATION DISCLOSURE STATEMENT

Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO/SB/08A listing references for consideration by the Examiner. Enclosed is a copy of each listed reference that may be material to the examination of this application, and for which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:



within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;

PATENT

- ☐ before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- ☐ after three months of the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
 - ☐ attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- ☐ on or before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; (2) a notice of allowance under 37 CFR § 1.311; or (3) an action that otherwise closes prosecution in the application, and:
 - ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that:
 - ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
 - ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a

foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND

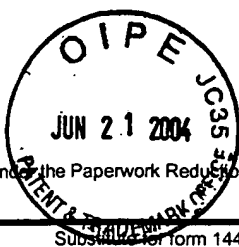
- ☐ attached hereto is the fee set forth under 37 CFR §1.17(p) for submission of this Information Disclosure Statement under 37 CFR. § 1.97(c); OR
- ☐ after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. APPLICATION NO., filed on DATE FILED, and the references cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).
- ☒ Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.

Consideration of the listed references and favorable action are solicited.

Respectfully submitted,
JOHN P. LUNSFORD ET AL.

Dated: 6/17/04

By: Albert C. Smith
Albert C. Smith, Reg. No.:20,355
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7937
Fax.: (650) 938-5200



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PTO/SB/08A (10-01)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known

Application No.	10/807,368
Filing Date	March 22, 2004
First Named Inventor	John P. Lunsford
Art Unit	Not yet known
Examiner Name	Not yet known
Attorney Docket Number	80121-08961

Sheet 1 of 4

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document No. Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-6,520,975	02-18-2003	Branco
		US-6,387,043	05-14-2002	Yoon
		US-6,176,825	01-23-2001	Chin, et al.
		US-6,162,173	12-19-2000	Chin, et al.
		US-5,957,936	09-28-1999	Yoon, et al.
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		US-5,913,870	06-22-1999	DeFonzo, et al.
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		US-5,673,840	10-07-1997	Schulze, et al.
		US-5,662,662	09-02-1997	Bishop, et al.

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.

Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Complete if Known	
				Application No.	10/807,368
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Examiner Initials*	Cite No. ¹	Document No. Number – Kind Code ² (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		US-5,656,012	08-12-1997	Sienkiewicz
		US-5,634,584	06-03-1997	Okorocho et al.
		US-5,630,787	05-20-1997	Yabe et al.
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		US-5,558,620	09-24-1996	Heckele et al.
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		US-5,337,736	08-16-1994	Reddy

Examiner Signature		Date Considered	
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		US-5,284,128	02-08-1994	Hart
		US-5,275,608	01-04-1994	Forman et al.
		US-5,271,385	12-21-1993	Bailey
		US-5,251,613	10-12-1993	Adair
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		US-4,557,255	12-10-1985	Goodman
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		US-3,866,601	02-18-1975	Russell
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		US-2,281,190	04-28-1942	Bertalan et al.
		US-2,227,727	01-07-1941	Leggiadro

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		US-2,220,720	11-05-1940	Jett
		US-2,162,681	06-13-1939	Ryan
		US-1,727,495	09-10-1929	Wappler
		US-79,015	06-16-1868	Schulz

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ – Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
		EP 0681811 A2	11-15-1995	United States Surgical Corporation	
		EP 0761171 A2	03-12-1997	Olympus Optical Co., Ltd.	
		WO 97/26831	07-31-1997	Origin Medsystems, Inc.	

OTHER REFERENCES – NON-PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ⁶	

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